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DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10-4-11

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September 29, 2011

BY FAX**MEMO ENDORSED**

Honorable P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312
Fax: (212)805-7949

Bayer HealthCare LLC v. Cipla Ltd., 11 Civ. 6347 (PKC)

Dear Judge Castel:

We represent plaintiff ("Bayer") in the above-referenced action. We write to advise the Court that Bayer and defendant Cipla Ltd. ("Cipla") are discussing a possible resolution to Bayer's claims against Cipla, and believe it would facilitate those discussions to extend Cipla's time to serve its opposition to Bayer's motion for a preliminary injunction. We understand that Cipla does not wish to submit a stipulation signed by both Bayer's and Cipla's counsel because Cipla does not want to prejudice any defenses it may argue based on lack of personal jurisdiction or on service of process.

Accordingly, we respectfully request (with Cipla's consent) that Your Honor enter an order extending Cipla's time to serve its opposition, if any, to Bayer's motion for a preliminary injunction from October 3, 2011 to October 7, 2011, and extending the deadline for any reply brief from October 10, 2011 to October 14, 2011. There have been no previous requests for an extension of these deadlines. We are not requesting an extension of time for the other defendants to serve their oppositions to Bayer's motion for a preliminary injunction.

Thank you for your attention to this matter.

Respectfully yours,



David H. Bernstein

cc: Parties on attached service list

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Revised schedule
is approved.
SO ORDERED
10-4-11